

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	1:11CR161-1
)	
JOHNNY REID EDWARDS,)	
)	
Defendant.)	

TRIAL CONDUCT ORDER #2
JURY SELECTION

This Order deals with issues raised in the Defendant's Motion for Procedures in Jury Selection (Doc. 129), which is granted in part and denied in part, to the extent stated herein. This Order is entered in the interests of a fair trial and to insure that the proceedings are orderly and efficient.

It is **ORDERED** that:

1. Jurors shall be summonsed in the ordinary manner in sufficient numbers to insure an adequate pool for jury selection. The Jury Administrator will handle obvious issues regarding qualifications and illness or health-related deferrals in the way such requests are ordinarily handled. To the extent feasible, the Court expects to use a fresh venire for this case, but if insufficient numbers of jurors are available, jurors from other venires may be used.
2. The Court expects to seat sixteen (16) jurors, so that four (4) alternates are available.

3. Jury selection in the courtroom will be open to the public. On occasion, when confidential or private matters are raised, it will be necessary to hear certain answers from jurors in private. The Court will handle this need as it arises.
4. Jury selection will begin on April 12 in Courtroom 3. Jurors will be called to the Courtroom in two groups, one at 9:30 a.m. and the other at 2:00 p.m., instructed on the relevant law, and taken to another location to fill out juror questionnaires.
5. At a time to be set by the Court, the Court will take up challenges for cause based on the questionnaires. The parties will advise the Court of those jurors as to which they agree challenges for cause are appropriate and may otherwise make such motions to excuse for cause as either party deems appropriate.
6. Jurors not excused for cause will report to the courthouse on April 17. Jurors will be questioned by the Court in the courtroom in small panels and, as may be necessary, individually.
7. When questioning of each small panel is concluded, any additional challenges for cause shall be made.
8. Once at least forty (40) jurors have been questioned and not excused for cause, voir dire will end and the remaining prospective jurors will be excused.
9. The remaining jurors shall report to the courthouse on April 23. The Court will briefly question the jurors to insure that nothing has arisen to cause any juror to have problems serving, and will excuse any jurors for cause as may be necessary.
10. The parties will then exercise the peremptory challenges authorized by Rule 24 of the Federal Rules of Criminal Procedure. The Government will first exercise one (1) challenge. The Defendant will then exercise two (2) challenges. This will be

repeated three more times, then the parties will alternate single challenges until the Government has exercised eight (8) challenges and the Defendant has exercised twelve (12) challenges, as allowed by Rule 24. The Court does not authorize additional peremptory challenges at this time.

11. By agreement of the parties, and with the Court's agreement, alternates will not be identified until immediately before the jury retires to deliberate.
12. After the peremptory challenges have been exercised, the jury will be seated and empaneled. The Court anticipates that opening statements will begin after the morning recess and presentation of evidence will begin after the lunch recess.

This the 3rd day of April, 2012.



UNITED STATES DISTRICT JUDGE